INVESTIGATIVE SUMMARY
IV 2310266

Subject: **BRAZILE, BRYAN** **DEPUTY SHERIFF** [redacted]

Date: **March 3, 2012**

Time: **0200 Hours**

Location: **1616 East 15th Street, Los Angeles**

This case pertains to an off-duty incident which occurred at "Club Sixteen 16" in downtown Los Angeles. Subject Bryan Brazile, assigned to NCCF, went to the above nightclub on the night of March 2, 2012. When he left the nightclub, on the morning of March 3, he was extremely intoxicated. An on-site security guard assisted Subject Brazile to his car. The security guard discovered Subject Brazile's firearm unsecured and in the gutter next to the Subject's vehicle. The security guard took the weapon for safekeeping. When the security guard returned less than an hour later to check on the Subject's condition, Subject Brazile's vehicle was gone. The security guard contacted an LASD lieutenant and returned Subject Brazile' firearm to the lieutenant later that day. Later the same morning, Subject Brazile went to LAPD West Valley Station and reported his firearm as stolen. ICIB conducted a criminal inquiry regarding the incident from March 6-9, 2012. They found no potential criminal ramifications. Based upon the incident, an administrative investigation was initiated concerning the Subjects' [redacted] Deputy Brazile was named as the lone subject.

CASE SUMMARY

On March 3, 2012, at approximately 2245 hours, Subject Brazile arrived at "Club Sixteen 16" in Los Angeles. Subject Brazile was there to attend the birthday party of a mutual friend. Subject Brazile drove to the location alone. Subject Brazile parked his vehicle (2009 Ford Mustang) on 15th Street near the club. He locked his duty firearm in the vehicle's glove box and also locked his vehicle. Prior to the nightclub party, Subject Brazile did not consume any alcoholic beverages. At the club, however, Subject Brazile admittedly consumed a variety of alcoholic beverages including: vodka, whiskey and tequila. He could not recall the number of drinks he imbibed. He believed he drank both mixed drinks and shots of alcohol.

Subject Brazile estimated he was inside the club three-to-four hours. When he left the nightclub (sometime between 0130-0230 hours on March 3, 2012), he was extremely

intoxicated. In fact, Subject Brazile could not remember any of the events from the time he left the nightclub until he awoke later the same morning around 0730 hours. Subject Brazile believed he awoke in his vehicle, parked in the exact same location as he had left it the prior night.

As Subject Brazile drove home that morning around 0800 hours, he discovered his firearm was missing from his glove box. He believed his vehicle had been burglarized. He called NCCF to report his stolen firearm to the Watch Commander (Lieutenant Berg). Subject Brazile was directed to report his stolen firearm to the nearest LAPD station, obtain a file number and write a memo to Captain Trujillo regarding the incident upon his return to work.

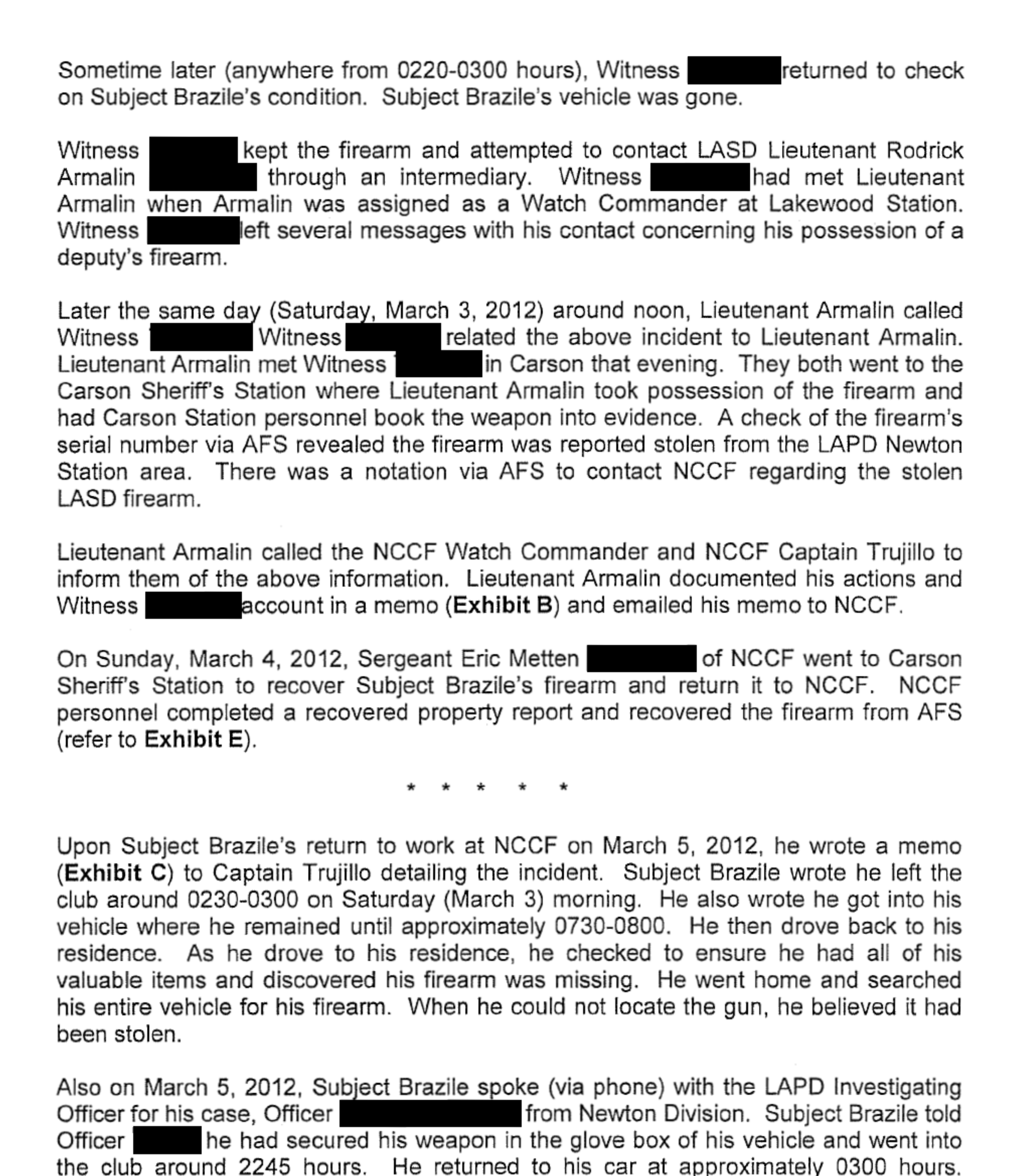
Subject Brazile drove to the LAPD West Valley Station to make a report of the vehicle burglary and stolen firearm (refer to **Exhibit A**, LAPD Investigative Report #1213-07787). LAPD West Valley officers took a report for the LAPD Newton Division (where the alleged vehicle burglary occurred). Subject Brazile told the LAPD officers he left the club at approximately 0300 hours, returned to his vehicle and drove to his residence. At home at approximately 0800 hours, Subject Brazile checked his vehicle and discovered his firearm missing. There was no forced entry to the Subject's vehicle but there were fingerprints on the passenger side window.

* * * * *

A security guard, Witness [redacted] was working at the nightclub. He encountered Subject Brazile outside of the nightclub sometime between 0130-0145 hours. Witness [redacted] was ushering patrons out of the club. He saw Subject Brazile seated on the ground and leaned up against a building. There were three male Hispanics around Subject Brazile and Witness [redacted] was concerned a fight was imminent. Witness [redacted] described Subject Brazile as being intoxicated, unable to care for himself and having vomited.

Witness [redacted] chased the Hispanics away and assisted Subject Brazile to Brazile's parked car, which was parked across the street approximately 35-40 feet away. Upon arrival at Subject Brazile's car, Witness [redacted] found the car unlocked and the keys in the ignition. As Witness [redacted] assisted Subject Brazile into the backseat passenger side of the vehicle, Subject Brazile became angry and spit on Witness [redacted] After getting Subject Brazile into the car, Witness [redacted] noticed a gun laying in the gutter. Witness [redacted] believed the firearm looked like a police officer's gun. He found identification on Subject Brazile which identified the Subject as a deputy sheriff.

Witness [redacted] decided to take Subject Brazile's firearm for safekeeping. His intent was to let Subject Brazile sleep in his car, and return to check on him once the patrons cleared out of the club. Witness [redacted] believed the male Hispanics who were previously arguing with the Subject could return and Witness [redacted] did not want a shooting to occur. Witness [redacted] left the car keys because he was in a rush to return to the club to perform his job duties.



Sometime later (anywhere from 0220-0300 hours), Witness [redacted] returned to check on Subject Brazile's condition. Subject Brazile's vehicle was gone.

Witness [redacted] kept the firearm and attempted to contact LASD Lieutenant Rodrick Armalin [redacted] through an intermediary. Witness [redacted] had met Lieutenant Armalin when Armalin was assigned as a Watch Commander at Lakewood Station. Witness [redacted] left several messages with his contact concerning his possession of a deputy's firearm.

Later the same day (Saturday, March 3, 2012) around noon, Lieutenant Armalin called Witness [redacted] Witness [redacted] related the above incident to Lieutenant Armalin. Lieutenant Armalin met Witness [redacted] in Carson that evening. They both went to the Carson Sheriff's Station where Lieutenant Armalin took possession of the firearm and had Carson Station personnel book the weapon into evidence. A check of the firearm's serial number via AFS revealed the firearm was reported stolen from the LAPD Newton Station area. There was a notation via AFS to contact NCCF regarding the stolen LASD firearm.

Lieutenant Armalin called the NCCF Watch Commander and NCCF Captain Trujillo to inform them of the above information. Lieutenant Armalin documented his actions and Witness [redacted] account in a memo (**Exhibit B**) and emailed his memo to NCCF.

On Sunday, March 4, 2012, Sergeant Eric Metten [redacted] of NCCF went to Carson Sheriff's Station to recover Subject Brazile's firearm and return it to NCCF. NCCF personnel completed a recovered property report and recovered the firearm from AFS (refer to **Exhibit E**).

* * * * *

Upon Subject Brazile's return to work at NCCF on March 5, 2012, he wrote a memo (**Exhibit C**) to Captain Trujillo detailing the incident. Subject Brazile wrote he left the club around 0230-0300 on Saturday (March 3) morning. He also wrote he got into his vehicle where he remained until approximately 0730-0800. He then drove back to his residence. As he drove to his residence, he checked to ensure he had all of his valuable items and discovered his firearm was missing. He went home and searched his entire vehicle for his firearm. When he could not locate the gun, he believed it had been stolen.

Also on March 5, 2012, Subject Brazile spoke (via phone) with the LAPD Investigating Officer for his case, Officer [redacted] from Newton Division. Subject Brazile told Officer [redacted] he had secured his weapon in the glove box of his vehicle and went into the club around 2245 hours. He returned to his car at approximately 0300 hours. Because he was inebriated, he remained in his vehicle and tried to sleep it off until approximately 0730 hours.

At the time of his interview with Officer [redacted] Subject Brazile was unaware his firearm had been recovered. Refer to Officer [redacted] Follow-Up Investigation Report (**Exhibit A**).

ICIB conducted a preliminary inquiry (**Exhibit D**) into this incident from March 6, 2012, through March 9, 2012. They found Subject Brazile's actions had no criminal implications.

During their inquiry, ICIB investigators went to "Club Sixteen 16" on March 6, 2012, and obtained surveillance recordings from the club's managers. They reviewed the video with the managers. The surveillance recordings were of poor quality. ICIB investigators saw someone they believed to be Subject Brazile entering the club at 2247 hours and exiting the club at 0127 hours. The video did not provide any details of Subject Brazile's actions outside of the club. IAB Sergeant Graham also reviewed the DVD from the club and did not observe any pertinent footage. Refer to the ICIB Inquiry for further information.

WITNESSES

LIEUTENANT RODRICK ARMALIN [redacted]

I interviewed Lieutenant Rodrick Armalin on February 13, 2013, at COPS Bureau. His interview is summarized as follows:

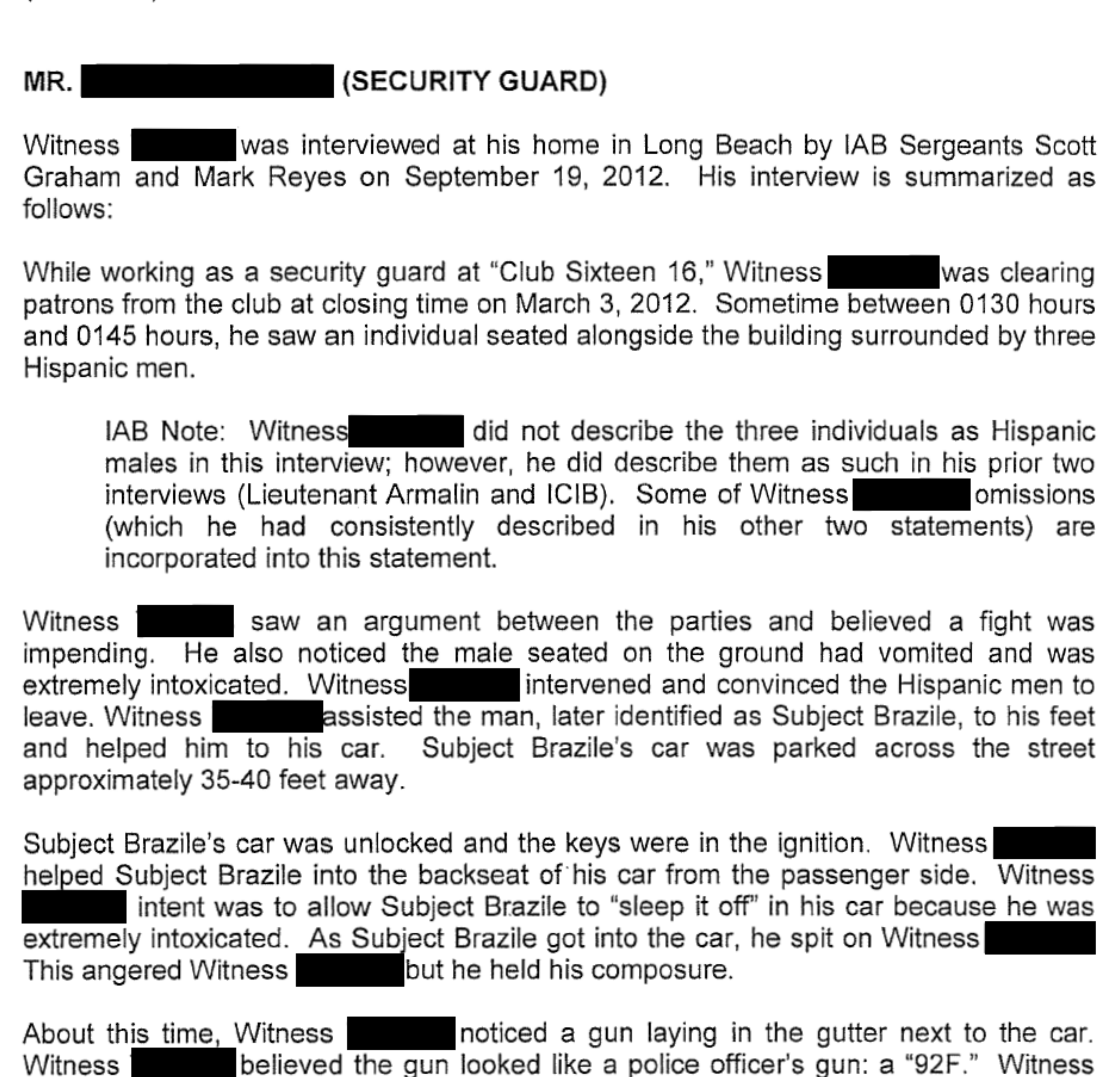
On March 3, 2012, Witness Armalin had been advised by a mutual friend that Mr. [redacted] needed to speak with him. Witness Armalin recalled Mr. [redacted] from when Armalin was assigned to Lakewood Station as a watch commander and Mr. [redacted] worked at a local club.

Mr. [redacted] told Witness Armalin he was working as security for "Club Sixteen 16" in Los Angeles the previous night. Mr. [redacted] encountered a male Black sitting on the ground and arguing with a group of male Hispanics. Mr. [redacted] believed the Hispanics were going to fight the lone male. The male Black was intoxicated, vomiting and unable to care for himself. Mr. [redacted] dispersed the Hispanics.

Mr. [redacted] helped the male to his car which was parked nearby. His intent was to have the male fall asleep inside his own vehicle. As Mr. [redacted] assisted the man into the car, Mr. [redacted] found a Beretta 92F firearm and a LASD badge. Mr. [redacted] felt it was unsafe to leave the firearm with the intoxicated male. He took the deputy's gun with the intent of returning to assist the deputy once the club was closed. When Mr. [redacted] returned to check on the deputy, his car was gone.

Witness Armalin met with Mr. [redacted] later that night (March 3, 2012). They met at Carson Station and Witness Armalin received the firearm Mr. [redacted] had recovered. Witness Armalin ran an AFS check of the firearm and discovered it was reported stolen from the LAPD Newton Division area. He also noted that the AFS entry advised the gun was a deputy's gun from NCCF. Witness Armalin had Carson Station personnel book the gun into the watch commander's safe and notified the NCCF Watch Commander and Captain. Witness Armalin wrote a memo regarding his involvement in this incident.

Witness Armalin's interview was not transcribed. Also refer to Witness Armalin's memo (**Exhibit B**). Witness Armalin's statement was consistent with the memo he authored.



MR. [redacted] (SECURITY GUARD)

Witness [redacted] was interviewed at his home in Long Beach by IAB Sergeants Scott Graham and Mark Reyes on September 19, 2012. His interview is summarized as follows:

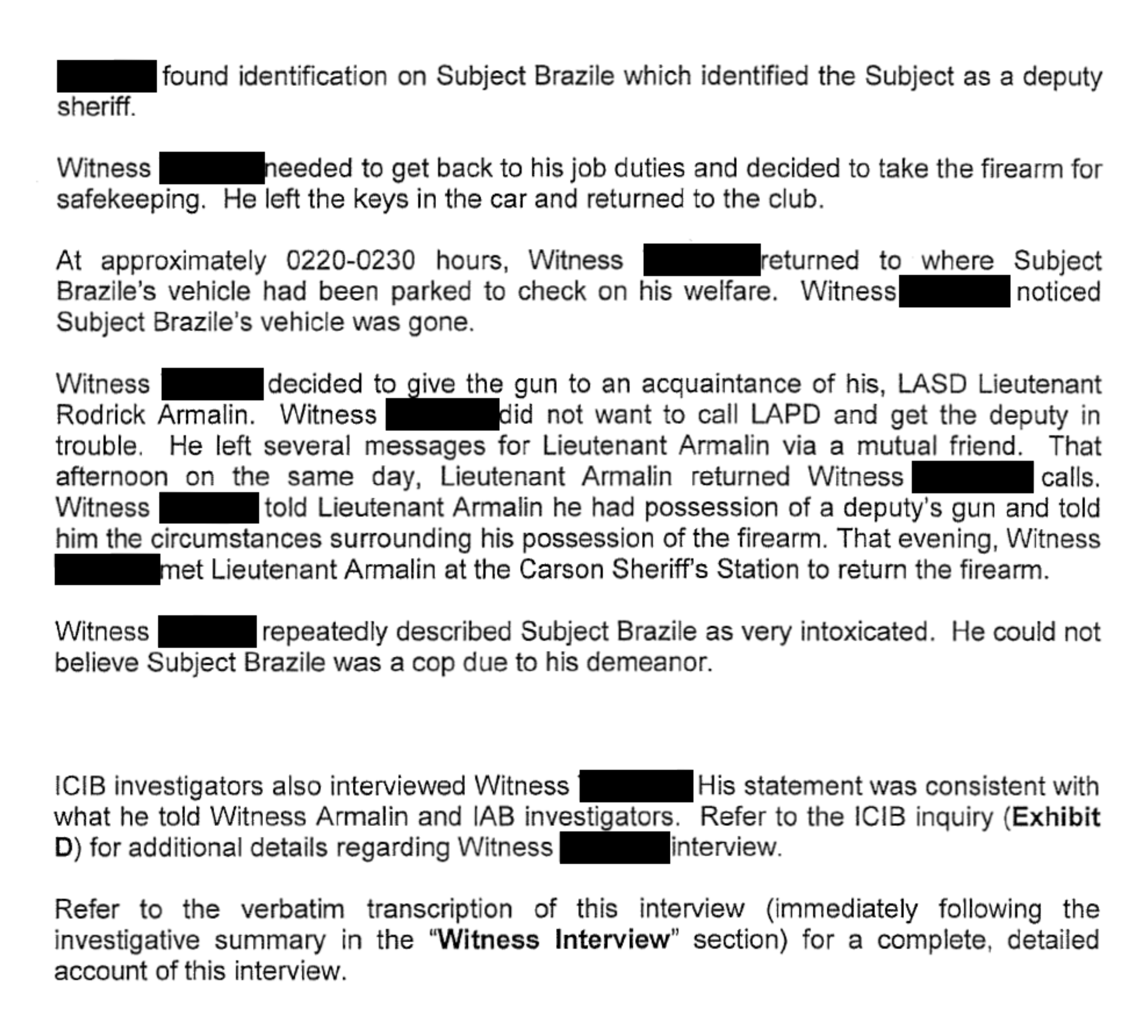
While working as a security guard at "Club Sixteen 16," Witness [redacted] was clearing patrons from the club at closing time on March 3, 2012. Sometime between 0130 hours and 0145 hours, he saw an individual seated alongside the building surrounded by three Hispanic men.

> IAB Note: Witness [redacted] did not describe the three individuals as Hispanic males in this interview; however, he did describe them as such in his prior two interviews (Lieutenant Armalin and ICIB). Some of Witness [redacted] omissions (which he had consistently described in his other two statements) are incorporated into this statement.

Witness [redacted] saw an argument between the parties and believed a fight was impending. He also noticed the male seated on the ground had vomited and was extremely intoxicated. Witness [redacted] intervened and convinced the Hispanic men to leave. Witness [redacted] assisted the man, later identified as Subject Brazile, to his feet and helped him to his car. Subject Brazile's car was parked across the street approximately 35-40 feet away.

Subject Brazile's car was unlocked and the keys were in the ignition. Witness [redacted] helped Subject Brazile into the backseat of his car from the passenger side. Witness [redacted] intent was to allow Subject Brazile to "sleep it off" in his car because he was extremely intoxicated. As Subject Brazile got into the car, he spit on Witness [redacted] This angered Witness [redacted] but he held his composure.

About this time, Witness [redacted] noticed a gun laying in the gutter next to the car. Witness [redacted] believed the gun looked like a police officer's gun: a "92F." Witness



[redacted] found identification on Subject Brazile which identified the Subject as a deputy sheriff.

Witness [redacted] needed to get back to his job duties and decided to take the firearm for safekeeping. He left the keys in the car and returned to the club.

At approximately 0220-0230 hours, Witness [redacted] returned to where Subject Brazile's vehicle had been parked to check on his welfare. Witness [redacted] noticed Subject Brazile's vehicle was gone.

Witness [redacted] decided to give the gun to an acquaintance of his, LASD Lieutenant Rodrick Armalin. Witness [redacted] did not want to call LAPD and get the deputy in trouble. He left several messages for Lieutenant Armalin via a mutual friend. That afternoon on the same day, Lieutenant Armalin returned Witness [redacted] calls. Witness [redacted] told Lieutenant Armalin he had possession of a deputy's gun and told him the circumstances surrounding his possession of the firearm. That evening, Witness [redacted] met Lieutenant Armalin at the Carson Sheriff's Station to return the firearm.

Witness [redacted] repeatedly described Subject Brazile as very intoxicated. He could not believe Subject Brazile was a cop due to his demeanor.

ICIB investigators also interviewed Witness [redacted] His statement was consistent with what he told Witness Armalin and IAB investigators. Refer to the ICIB inquiry (**Exhibit D**) for additional details regarding Witness [redacted] interview.

Refer to the verbatim transcription of this interview (immediately following the investigative summary in the "**Witness Interview**" section) for a complete, detailed account of this interview.

SUBJECT

DEPUTY BRYAN BRAZILE [redacted]

Sergeant Scott Graham and I interviewed Subject Brazile on February 18, 2013, at IAB. His interview is summarized as follows:

On March 2, 2012, Subject Brazile went to "Club Sixteen 16" for a birthday party. Subject Brazile drove alone to the club and arrived around 2245. Subject Brazile did not consume any alcoholic beverages prior to his arrival at the club. He met several people at the club.

Subject Brazile did not take his firearm into the club but did possess his departmental identification. Prior to entering the club, he secured his firearm inside of his vehicle's locked glove box and locked his vehicle. It has been Subject Brazile's past practice while off-duty to lock his firearm inside of his vehicle's glove box. Subject Brazile rarely carries his firearm on his person while off-duty.

Subject Brazile estimated he was inside the club three or four hours. While in the club, Subject Brazile consumed vodka, whiskey and tequila. He had "quite a bit" to drink and was unable to estimate the amount of alcohol or number of drinks he imbibed. He drank mixed drinks, shots and sometimes drank straight out of the bottle. There was a bottle service at his table where drinks were prepaid due to the birthday party.

There were no significant events which occurred inside the club to Subject Brazile's recollection. He believed he left the club between 0200 hours and 0300 hours. He offered that the alcohol had "definitely set in" by then. He knew he was definitely intoxicated as he left the club. He has no recollection of what he did when he left the club. He believed he walked directly to his vehicle which was parked half-a-block away from the club.

He did not recall encountering any persons on the way out of the club, getting into an argument with anyone or seeing any male Hispanics. Subject Brazile did not have anything else to drink once he left the club. He could not recall what he did, if anything, after he left the club. He did not recall if he vomited after leaving the club and did not recall having vomit on his clothing the next morning. Subject Brazile did not recall encountering a security guard or anyone assisting him. He did not recall sitting up against a building. He did not recall if he was sick or vomited inside the club.

Inside the club, Subject Brazile was there with four people. None of them contacted him the next day or told him he was very intoxicated. He did not recall if any of his friends assisted him to his car. He did not recall if he returned to his car at any point during the night. Subject Brazile said no one took his keys during the night.

I told Subject Brazile a security guard assisted him to his vehicle and found Subject Brazile's firearm in the gutter next to his car. Subject Brazile could not account for how his firearm was found in the gutter. He did not recall unlocking his car, glove box or accessing his firearm. Subject Brazile has no recollection of a security guard at all and no recollection of spitting on the security guard.

Subject Brazile believed he got to his car between 0200 hours and 0300 hours. He slept inside of his car. Subject Brazile woke around 0730 hours (Saturday, March 3). He was inside of his car, parked in the same location he had parked the night before. As he drove off from his parking location, he began checking his vehicle for his wallet, keys and weapon. He believed he might have checked for those items when he returned to his car but he did not recall. As he drove, he realized his glove box was unlocked and his firearm was missing. Panicked, he continued to drive home. He wondered if he had moved his firearm to the trunk or somewhere else during the night.

When he arrived home, he checked everywhere in his car for his firearm. Subject Brazile did not consider returning to the club, canvassing the area or pulling over to check his car as soon as he discovered his gun missing. He did not consider going directly to a police station to report it missing. He wanted to get home and believed that a friend might have taken his gun or moved it to his trunk in order to look out for him since he was so intoxicated.

After searching his vehicle, Subject Brazile called his friend, [redacted] and a female "associate" named [redacted]. He did not know her last name. Neither of the persons knew anything about his weapon.

> IAB Note: [redacted] a department member and deputy sheriff at MCJ [redacted] was not interviewed for this investigation. [redacted] is not a department member.

Subject Brazile notified the NCCF Watch Commander at approximately 0830-0900 hours concerning his missing firearm as he drove to LAPD (West Valley Station) to make a report.

Subject Brazile believed he made a mistake with his words when he initially reported to LAPD that he left the club at 0300 hours, drove to his residence and found his gun missing at 0800 hours. He believed a more accurate reflection of his actions was what he told the LAPD Investigating Officer and what he wrote in his memo; which was, he slept in his vehicle and drove home at 0730 hours. He said he definitely did not drive home at 0300 hours. Subject Brazile did not recall what he told the NCCF Watch Commander.

Subject Brazile could not explain why the security guard said his car was gone when the security guard returned to check on Subject Brazile. As far as Subject Brazile could remember, when he awoke the next morning in the front seat of his car, his car was in the exact same spot as he had parked it. He did not recall if he moved his car. Subject Brazile did allow that it was possible he drove his car but did not recall it due to his intoxication. Subject Brazile also added that due to his level of intoxication, he did not see how it would have been possible for him to have driven.

Subject Brazile admitted he has been drunk before; based on that, he opined that on the night in question, he was worse than he had ever been. He also believed he was not intoxicated when he awoke at 0730 hours.

Subject Brazile assumed his gun was stolen (as opposed to misplace/missing) because he had not removed it and did not understand how it could be gone. Additionally, when he arrived home, he saw fingerprints on his car window and there were no signs of forced entry.

Based on the totality of this incident, Subject Brazile admitted he did not exercise reasonable care or control over his firearm. He felt that alcohol contributed to his lack of care and control of his firearm. At the time he returned to his vehicle, he did not feel

that he could not have cared for his own safety. He also admitted that his behavior brought discredit to himself and the department. Because he did not remember the security guard, he could not say whether or not his conduct toward the security guard was appropriate.

If Subject Brazile could have done things differently, he acknowledged he would have exercised better judgment regarding his drinking, especially considering he was alone. He also would not have brought his firearm. He believed that this incident was the worst night of his life and there were a lot of things he would take back.

Subject Brazile has been going through a difficult divorce and custody battle which has caused him to drink more. The drinking caused him to make poor decisions and he was very embarrassed for his actions. He was embarrassed for the department and as a man. Subject Brazile believed he has fixed many of his issues and [redacted] since this incident occurred. Prior to this incident, he had not considered seeking any assistance for drinking because he would not have acknowledged he had a problem. Subject Brazile also offered to apologize to the security guard.

Refer to the verbatim transcription of this interview (immediately following the investigative summary in the "**Subject Interview**" section) for a complete, detailed account of this interview.



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

March 27, 2013

Deputy Bryan Brazile, [redacted]

Dear Deputy Brazile:

On February 27, 2013, you were served with a Letter of Intention indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Numbers IAB [redacted] and 2310266. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, it has been determined that the recommended discipline is appropriate.

You are hereby notified that you are discharged from your position of Deputy Sheriff, Item No. 2708A, with this Department, effective as of the close of business March 26, 2013.

Two investigations under File Numbers [redacted] and 2310266 conducted by Internal Affairs Bureau and coupled with your own statements, have established the following:

1. That in violation of Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; 3-01/030.15, Conduct Towards Others; and/or 3-01/025.45, Safety of Firearms; and/or 3-01/040.15, Care of County Property and Equipment, and/or 3-01/030.06, Inappropriate/Disorderly Conduct, on or about March 3, 2012, at approximately 0130-0230 hours, while off-duty and extremely intoxicated, you were contacted by a security guard at the "Sixteen 16" Nightclub in downtown Los Angeles. The security guard observed you seated on the ground, unable to care for yourself, and having vomited. The security guard escorted

you to your vehicle where the security guard found the vehicle unlocked. While placing you in the backseat, you became upset and spit on the security guard. After you were placed in your vehicle, the security guard discovered your duty firearm lying in the gutter, which the security guard recovered. Approximately half an hour later, the security guard returned and noticed that both you and your vehicle were no longer at the location. Subsequently, the security guard returned the firearm to a Department member. By your actions, you have brought discredit and embarrassment upon yourself and the Los Angeles County Sheriff's Department.

2. That in violation of Manual of Policy and Procedures Sections 3-01/040.70, False Statements; 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations. You made false and/or misleading and/or incomplete statements as evidenced by but not limited to the following:

   a. on or about March 3, 2012, at approximately 0945 hours, while off-duty, you reported to LAPD Officer [redacted] that on March 3, 2012, while at "Sixteen 16" Nightclub, you returned to your vehicle at approximately 0300 hours and drove to your residence, and/or;

   b. on a memorandum authored by you, dated March 5, 2012, you wrote you returned to your vehicle at approximately 0300 hours, where you remained (without driving) until approximately 0800 hours, and/or;

   c. on March 5, 2012, LAPD Officer [redacted] wrote in his "Follow-Up" report that you told him that on March 3, 2012, at approximately 0300 hours, you returned to your vehicle, where you remained to "sleep it off," until approximately 0730, when you drove away from the night club, and/or;

   d. on or about February 18, 2013, during your IAB Subject Interview, regarding driving your vehicle after you left the nightclub, you said you could not remember any of the events after you left the nightclub, however you did say

you remained in your vehicle at the nightclub until approximately 0730 hours, when you drove away from the nightclub, and/or;

e. in contrast to certain of the above statements made by you, Witness [redacted] said that at approximately 0220-0300 hours, he returned to check on your condition, and found that your vehicle was gone from the location.

By your actions, you have brought discredit upon yourself and the Los Angeles County Sheriff's Department.

[redacted]

[redacted] [redacted]

Additional facts and grounds for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

In taking this disciplinary action, your record with this Department has been considered, and a thorough review of this incident has been made by Department executives, including your Unit and Division Commanders.

You may appeal the Department's action in this matter pursuant to Rules 4.02, 4.05 and 18.02 of the Civil Service Rules.

You may, if you so desire, within fifteen (15) business days from the date of service of this notice of discharge, request a hearing on these charges before the Los Angeles County Civil Service Commission, 222 North Grand Avenue, Los Angeles, California 90012.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

ALEXANDER R. YIM, CHIEF
CUSTODY DIVISION

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

ARY:KM:AEA:md

c: Advocacy Unit
Alexander R. Yim, Chief, Custody Division
Victor M. Trujillo, Captain, North County Correctional Facility
Internal Affairs Bureau
Office of Independent Review (OIR)
Kevin E. Hebert, Captain, Personnel Administration